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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/572,892 | 03/20/2006 | Ian David Stones | M03B304 | 3001 |
| 71134 7590 06/24/2010 | | | | |
| Edwards Vacuum, Inc. 2041 MISSION COLLEGE BOULEVARD SUITE 260 SANTA CLARA, CA 95054 | | | | |
| EXAMINER | | | | |
| EASTMAN, AARON ROBERT | | | | |
| ART UNIT | | PAPER NUMBER | | |
| 3745 | | | | |
| NOTIFICATION DATE | | DELIVERY MODE | | |
| 06/24/2010 | | ELECTRONIC | | |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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| 10572892 | 3/20/2006 | STONES, IAN DAVID | M03B304 |

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EXAMINER

Aaron R.. Eastman

| ART UNIT | PAPER |
|----------|----------|
| 3745 | 20100618 |

DATE MAILED:

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Commissioner for Patents

The information disclosure statement filed June 14, 2010 fails to comply with 37 CFR 1.97(c) because it lacks a statement as specified in 37 CFR 1.97(e). It has been placed in the application file, but the information referred to therein has not been considered. 37 CFR 1.97(e) states:

"A statement under this section must state either:

- (1) That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement; or
- (2) That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement."

In contrast, Applicant has stated:

"The Information Disclosure Statement submitted herewith was first cited in a communication from a Japanese counterpart application on March 29, 2010, not more than three months prior to the filing of the information disclosure statement."

Applicant's statement is not the same as statement (1) of 37 CFR 1.97(c) as shown above.

/Edward K. Look/
Supervisory Patent Examiner, Art Unit 3745